

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

LIBERTAS TECHNOLOGIES,
L.L.C.,
Plaintiff,

Case No. 1:10-cv-935
Dlott, J.
Litkovitz, M.J.

vs.

CHERRYHILL MANAGEMENT
INC., et al.,
Defendants.

ORDER

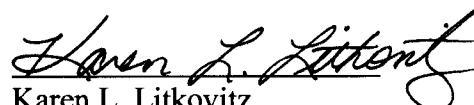
This matter is before the Court following an informal discovery conference held before the Court on April 17, 2013. The parties have presented papers outlining their respective positions to the Court. Pursuant to the record established at the conference, the discovery matters outlined in the parties' position papers and discussed at the conference are resolved as follows:

1. Plaintiff Libertas Technologies, L.L.C. (Libertas) has provided dates to defendant Cherryhill Management, Inc. (Cherryhill) for conducting a brief inspection of the laptop that Libertas issued to Todd Schwartz and for deposing Libertas principal Glenn Plunkett.
2. Plaintiff has provided a statement regarding cumulative fees invoiced through February 28, 2013.
3. Plaintiff has provided a statement confirming that it will not waive the attorney-client privilege as to its communications with attorney Stephen Gillen of Wood Herron & Evans (Wood Herron). To the extent Cherryhill seeks documents related to Wood Herron (*see, e.g.*, Document Request Nos. 1 and 4), any withholding of responsive documents by Libertas must be reflected on a privilege log that complies with the Federal Rules of Civil Procedure and local rules of this Court.
4. Plaintiff has provided its Rule 26(a) disclosures to Cherryhill.
5. Plaintiff will supplement, within fourteen (14) days of the date of this order, its document production with respect to the following matters:

- Trade secrets (*see, e.g.*, Document Request Nos. 2, 23 and 33).
 - The purchase of Libertas by Definity Partners (*see, e.g.*, Document Request Nos. 2, 14 and 27).
 - Communications Libertas had with others regarding copyrighted work performed for other customers (*see, e.g.*, Document Request Nos. 10 and 11).
 - The larger document from which 61 pages provided by Wood Herron were pulled, to the extent the larger document has not already been provided by plaintiff (*see* Document Request No. 17). Plaintiff will clarify for Cherryhill if the larger document has already been provided to defendant.
 - Software pertaining to other customers of Libertas that plaintiff contends was on Todd Schwartz's laptop (*see, e.g.*, Document Request Nos. 31, 32 and 33).
 - Email communications, if any, that Libertas has not disclosed to Cherryhill to date.
6. The Court has provided guidance to the parties on the remaining disputed Document Requests and Requests for Admissions.

IT IS SO ORDERED.

Date: 4/18/13


Karen L. Litkovitz
United States Magistrate Judge